

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC,

Plaintiff,

-v-

REDIGI INC.,

Defendant.

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DATE FILED: <u>2-15-12</u>

No. 12 Civ. 95 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of letters from both Plaintiff and Defendant, each dated February 14, 2012, regarding the parties' proposed Case Management Plan. In its letter, Defendant suggests "establish[ing] a firm, publicly known, deadline for the filing of *amicus curiae* motions [in connection with the parties' summary judgment motions]" and "dispens[ing] with pre-motion conferences for those motions." Plaintiff opposes Defendant's requests. Because Defendant has not demonstrated any facts to overcome the Court's conclusion, as stated in an Order dated February 1, 2012, that the parties are fully capable of raising issues that third parties would raise in *amicus curiae* briefs and have every incentive to do so, Defendant's requests ARE HEREBY DENIED. The parties' proposed Case Management Plan, as modified by the Court, is set forth in a separate Order.

SO ORDERED.

Dated: February 14, 2012
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE